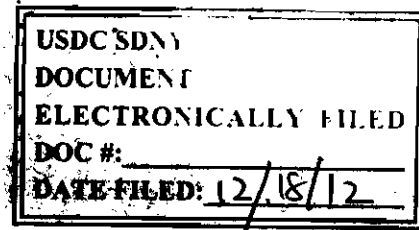


Holloman, J

PREET BHARARA
United States Attorney for the
Southern District of New York
By: SARAH J. NORTH
Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, New York 10007
Tel. No.: (212) 637-2639
Fax No.: (212) 637-2717
E-mail: Sarah.North@usdoj.gov



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA *ex rel.* JOHN
DOE and THE STATE OF NEW YORK *ex rel.*
JOHN DOE,

Plaintiffs,

v.

STRUCTURED EMPLOYMENT ECONOMIC
DEVELOPMENT CORPORATION,

Defendant.

**STIPULATION AND ORDER OF
SETTLEMENT AND RELEASE**

11 Civ. 6425 (AKH) (ECF)

UNITED STATES OF AMERICA,

Plaintiff-Intervenor,

v.

STRUCTURED EMPLOYMENT ECONOMIC
DEVELOPMENT CORPORATION,
ALEX SAAVEDRA, SHOMARI GREENE, ALAN
KATZ, TAGEWATEE CHANDARPAUL,
SHANDELL SANTIAGO-VELEZ, MITCHELL
MCCLINTON, and MONIQUE TARRY,

Defendants.

WHEREAS, this Stipulation and Order of Settlement and Release (the "U.S. Relator Release Stipulation") is entered into among the United States of America, by its attorney Preet Bharara, United States Attorney for the Southern District of New York (the "United States"), and Relator William Harper (the "Relator," and together with the United States, "the Parties"), through their authorized representatives;

WHEREAS, on or about September 14, 2011, the Relator filed a *qui tam* action under the name John Doe, in the United States District Court for the Southern District of New York, captioned *United States ex rel. John Doe and The State of New York ex rel. John Doe v. Structured Employment Economic Development Corporation*, 11 Civ. 6425 (AKH) (the "Relator's Action"), on behalf of the United States of America, pursuant to 31 U.S.C. § 3730(b);

WHEREAS, the United States intervened in the Relator's Action and filed the Complaint-in-Intervention of the United States of America (the "Federal Complaint") on or about May 22, 2012, and the State of New York served a Notice of Election to Decline Intervention on that same date;

WHEREAS, the United States, Relator, and Defendant Structured Employment Economic Development Corporation ("Defendant" or "SEEDCO") are entering into a Stipulation and Order of Settlement and Dismissal (the "U.S. Dismissal Stipulation"), which the parties are submitting to the Court simultaneously with this U.S. Relator Release Stipulation, to settle the United States' civil claims against Defendant for the conduct alleged in the Federal Complaint;

WHEREAS, pursuant to the terms of paragraph 2 of the U.S. Dismissal Stipulation, SEEDCO will pay the United States the sum of one million, seven hundred and twenty-five thousand dollars (\$1,725,000) (the "U.S. Settlement Proceeds");

WHEREAS, the Relator has asserted that, pursuant to 31 U.S.C. § 3730(d)(1), he is entitled to receive a portion of the U.S. Settlement Amount (the "Relator's U.S. Claim"); and

WHEREAS, the Parties hereto mutually desire to reach a full and final compromise of the Relator's U.S. Claim against the United States for a portion of the U.S. Settlement Proceeds pursuant to the terms set forth below.

NOW, THEREFORE, in reliance on the representations contained herein and in consideration of the mutual promises, covenants, and obligations in this U.S. Relator Release Stipulation, and for good and valuable consideration, receipt of which is hereby acknowledged, the Parties agree as follows:

TERMS AND CONDITIONS

1. Contingent upon and following payment by SEEDCO pursuant to the terms of the U.S. Dismissal Stipulation, the United States will pay Relator William Harper c/o his attorney Robert Sadowski, Esq., a total of three hundred, sixty two thousand, two hundred fifty dollars (\$362,250) (the "U.S. Relator's Share"), from the U.S. Settlement Amount according to written instructions provided by Relator's counsel, Robert Sadowski, Esq.

2. In agreeing to accept payment of the Relator's Share, and upon payment thereof, Relator William Harper, for himself and his heirs, successors, attorneys, agents, and assigns, will release and will be deemed to have released and forever discharged the United States, its agencies, departments, officers, agents, and employees from any claims pursuant to 31 U.S.C. §

3730 and for a share of the U.S. Settlement Proceeds, and from any claims against the United States arising from or relating to the filing of the Relator's Action and the Federal Complaint. However, the Relator reserves his right to argue in support of receiving a share under 31 U.S.C. § 3730 of any recovery arising from claims of the United States against the individual defendants named in the Federal Complaint; the United States does not concede that Relator has the right to such a share.

3. This U.S. Relator Release Stipulation does not resolve or in any manner affect any claims the United States has or may have against the Relator arising under Title 26, U.S. Code (Internal Revenue Code), or any claims arising under this U.S. Relator Release Stipulation.

4. This U.S. Relator Release Stipulation shall be binding only on the Parties, their successors, assigns, and heirs.

5. This U.S. Relator Release Stipulation shall become final, binding, and effective only upon entry by the Court.

6. This U.S. Relator Release Stipulation may not be changed, altered or modified, except in writing signed by the United States and the Relator.

7. This U.S. Relator Release Stipulation shall be governed by the laws of the United States. The Parties agree that the exclusive jurisdiction and venue for any dispute arising under this U.S. Relator Release Stipulation shall be the United States District Court for the Southern District of New York.

8. This U.S. Relator Release Stipulation may be executed in counterparts, each of which shall constitute an original and all of which shall constitute one and the same agreement.

Dated: New York, New York
November 29, 2012

PREET BHARARA
United States Attorney for the
Southern District of New York
Attorney for the United States of America

By: 

Sarah J. North
Assistant United States Attorney
86 Chambers Street, 3rd floor
New York, New York 10007
Telephone: (212) 637-2639
Facsimile: (212) 637-2686
E-mail: Sarah.North@usdoj.gov

Dated: New York, New York
November __, 2012

WILLIAM HARPER, *Relator*

Dated: New York, New York
November __, 2012

DIAMOND MCCARTHY LLP
Attorneys for Relator

By: _____

Robert Sadowski, Esq.
620 8th Avenue, 39th Floor
New York, NY 10018
Telephone: (212) 430-5400
Facsimile: (212) 430-5499
E-mail: Rsadowski@DiamondMcCarthy.com

8. This U.S. Relator Release Stipulation may be executed in counterparts, each of which shall constitute an original and all of which shall constitute one and the same agreement.

Dated: New York, New York
November 20, 2012

PREFET BHARARA
United States Attorney for the
Southern District of New York
Attorney for the United States of America

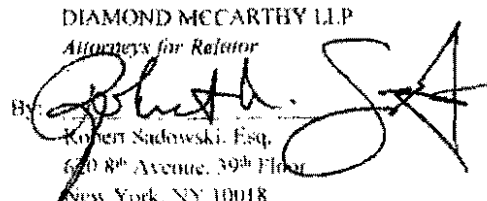
By:

Sarah J. North
Assistant United States Attorney
86 Chambers Street, 3rd floor
New York, New York 10007
Telephone: (212) 637-2639
Facsimile: (212) 637-2686
E-mail: Sarah.North@usdoj.gov

Dated: New York, New York
November 20, 2012


WILLIAM HARPER, Relator

Dated: New York, New York
November 20, 2012

DIAMOND MCCARTHY LLP
Attorneys for Relator
By: 
Robert Sadowski, Esq.
620 8th Avenue, 39th Floor
New York, NY 10018
Telephone: (212) 430-5400
Facsimile: (212) 430-5499
E-mail: Rsadowski@DiamondMcCarthy.com

12/07/12
Jo Orland
GK [Signature]